

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. )  
Miguel GOMEZ-Villa )  
Defendant. )  
\_\_\_\_\_  
)

'08 MJ 2255

Magistrate Case No. \_\_\_\_\_ BY *V.M.K.* DEPUTYCOMPLAINT FOR VIOLATION OFTitle 8, U.S.C., Section  
1324(a)(1)(A)(iv)-Inducing and  
Encouraging Illegal Aliens  
To Enter the United States

The undersigned complainant being duly sworn states:

On or about **July 24, 2008**, within the Southern District of California, defendant **Miguel GOMEZ-Villa**, did encourage and induce an alien, namely **Rosa MEDEL-Mares**, with the intent to violate the immigration laws of the United States, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence in the United States is and will be in violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

  
SIGNATURE OF COMPLAINANT  
Alredo Loperena, United States Customs  
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 25<sup>th</sup> DAY OF JULY, 2008.

  
UNITED STATES MAGISTRATE JUDGE

**PROBABLE CAUSE STATEMENT**

On July 24, 2008, at approximately 4:21 AM, **Miguel GOMEZ-Villa (Defendant)** made application for admission into the United States at the San Ysidro Port of Entry. Defendant was the driver of a 1999 Dodge Stratus with one visible female passenger. Upon inspection before a Customs and Border Protection (CBP) Officer, Defendant presented a DSP-150 (USA B1/B2 VISA/BCC) bearing the name Hector Tapia-Gomez. On behalf of the female passenger, Defendant presented an I-551 Permanent Resident Card bearing the name Delia Gonzalez-Duran. The CBP Officer noticed that the images on the documents did not resemble the people he was inspecting. The CBP Officer determined both occupants were impostors to the documents they presented and subsequently referred the vehicle and its occupants to secondary for further inspection.

In secondary, Defendant and the female passenger were confirmed to be impostors to the documents presented. Defendant and the passenger were determined to be citizens of Mexico without legal documents to enter the United States. The female passenger was retained as a Material Witness and is now identified as **Rosa MEDEL-Mares**.

During a videotaped proceeding, Defendant was advised of his Miranda rights, acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted a smuggler known as "Chico" provided him with the documents and the vehicle. Defendant admitted he had the option of returning to Mexico and receiving \$500.00 USD payment for smuggling undocumented aliens or staying in the U.S. without paying a \$2,500.00 USD smuggling fee. Defendant stated he was to drop off Material Witness at the K-Mart in San Ysidro, California.

During a separate videotaped interview, Material Witness admitted she is a citizen of Mexico by virtue of birth in San Martin, Michoacan, Mexico. Material Witness admitted she made arrangements with a smuggler known as "Chas" and was to pay \$2,500.00 USD to be smuggled into the United States. Material Witness stated she intended to travel to Miraloma, California to seek residency and employment.